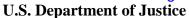
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United States Attorney Southern District of New York

The Silvio J. Mollo Building One Saint Andrew's Plaza New York, New York 10007

November 18, 2019

BY ECF

The Honorable Valerie E. Caproni Thurgood Marshall United States Courthouse 40 Foley Square New York, New York 10007

The Honorable Paul A. Crotty Daniel Patrick Moynihan United States Courthouse 500 Pearl Street New York, New York 10007

Re: <u>United States</u> v. <u>Gregory Herman</u>, 19 Cr. 413 (VEC)

<u>United States</u> v. <u>Gregory Herman</u>, 19 Cr. 825 (PAC)

Dear Judge Caproni and Judge Crotty:

The Government respectfully submits this letter to advise the Court that there are two active cases pending against the defendant arising out of essentially the same criminal conduct.

On or about October 2, 2019, the Probation Office submitted a violation report under docket number 19 Cr. 413. The report alleges, among other things, that the defendant committed the crime of false information and hoaxes, in violation of 18 U.S.C. § 1038(a)(1), by calling the Daniel Patrick Moynihan United States Courthouse and falsely stating that the courthouse would be destroyed at a specific time. Judge Caproni held a conference on the violation on October 8, 2019 and set the next conference for January 7, 2020 at 11:00 a.m.

On or about November 18, 2019, upon the defendant's waiver of indictment, the Government charged the defendant in an information before Judge Crotty under the docket number 19 Cr. 825. The information charges the defendant with a single count of false information and hoaxes, in violation of 18 U.S.C. § 1038(a)(1), for the same conduct described above. Judge Crotty set the next conference for January 21, 2020 at 4:30 p.m.

Should the Court desire any further information we would be pleased to comply.

Respectfully submitted,

GEOFFREY S. BERMAN United States Attorney

by: /s/ Alexander Li
Alexander Li
Assistant United States Attorney
(212) 637-2265

cc: Andrew Dalack, Esq. (By ECF)